



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.08.2021

CORAM :

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.19230 of 2012

M/s. Arul Mariamman Textiles Ltd.,
Rep by its Director,
23, Kamaraj Road,
Mahalingapuram,
Pollachi - 2.

... Petitioner

-Vs-

The Tamil Nadu Small Industries
Development Corporation,
Rep by its General Manager,
Paulwel's Road,
Kathipara Junction,
Chennai.

... Respondent

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the respondent to execute and register sale deeds in favour of the petitioner conveying plot number 6 in S.F.No.420(PT) and 421(PT) extent 130680 sq.ft., or 2.9970 acres and plot No.7 in S.F.No.420, 421, 422 and 423 part extent 83312.07 sq.ft or 1.9126 acres in Thuvakudi Industrial Estate, Thuvakudi, Tiruchirappalli.

For Petitioner : Mr.S.Ramachandran
For Respondent : Mr.B.Manoharan,
Standing Counsel.

ORDER

The Writ Petition has been filed to direct the respondent to execute and register sale deeds in favour of the petitioner conveying plot number 6 in S.F.No.420(PT) and 421 (PT) extent 130680 sq.ft., or 2.9970 acres and plot No.7 in S.F.No.420, 421, 422 and 423 part extent 83312.07 sq.ft or 1.9126 acres in Thuvakudi Industrial Estate, Thuvakudi, Tiruchirappalli.

2. The petitioner was allotted plot No.6 in S.F.No.420 (PT) and 421(PT) extent 130680 sq.ft., or 2.9970 acres and plot No.7 in S.F.No.420, 421, 422 and 423 part extent 83312.07 sq.ft or 1.9126 acres and he was directed to pay a sum of Rs.5,44,010/ and Rs.3,62,670/- respectively. The said amounts were duly paid by the petitioner to the respondent. After



taking possession of the said property, the petitioner put up his factory building and obtained necessary license from the Inspector of Factories, Electricity and telephone services ect., from the authority concerned. The respondent also issued NOC to Tamil Nadu Electricity Board for giving electricity connection. Even then, the respondent failed to execute and register the sale deed conveying the said properties in favour of the petitioner.

3. In fact, the respondent demanded further amount and the same was challenged by the petitioner before this Court by way of Writ petitions in W.P.Nos. 45 & 46 of 1997 and the same were dismissed. Against which, the petitioner filed Writ Appeal in W.A.Nos.3789 & 3792 of 2004 and the Hon'ble Division Bench of this Court directed the petitioner to pay sum of Rs.8,24,138/- to the respondent within a period of 12 weeks in full and final settlement of the claim of the respondent. Further, the respondent was also directed to execute and register the sale deed within a period of four weeks. As directed by this Court, the petitioner has paid the entire amount. Even then, the respondent failed to execute the deed in favour of the petitioner. Therefore, the petitioner filed this present Writ Petition with the above said prayer.

4. Heard Mr.S.Ramachandran, learned counsel appearing for the petitioner and Mr.B.Manoharan, learned Standing Counsel appearing for the respondent.

5. The learned Standing Counsel appearing for the respondent would submit that some ratification in approval is pending before the local body and as such, the respondent could not be able to register the sale deed in favour of the petitioner.

6. Considering the said submission, the respondent is directed to execute the sale deed in favour of the petitioner in respect of the property in plot number 6 in S.F.No.420(PT) and 421(PT) extent 130680 sq.ft., or 2.9970 acres and plot No.7 in S.F.No.420, 421, 422 and 423 part extent 83312.07 sq.ft or 1.9126 acres in Thuvakudi Industrial Estate, Thuvakudi, Tiruchirappalli, as expeditiously as possible immediately after getting approval from the local body.

7. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs.

s/d-
Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar



To

The General Manager
Tamil Nadu Small Industries
Development Corporation,
Paulwel's Road,
Kathipara Junction,
Chennai.

+lcc to Government Pleader, SR.No.39443

W.P.No.19230 of 2012

KSM(CO)
PM(06/09/2021)